

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 1111 of 1989

For Approval and Signature:

Hon'ble MR.JUSTICE KUNDAN SINGH

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1. Whether Reporters of Local Papers may be allowed to see the judgements? -
2. To be referred to the Reporter or not? -
3. Whether Their Lordships wish to see the fair copy of the judgement? -
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? -
5. Whether it is to be circulated to the Civil Judge?

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HIRABHAI M SAVALIA

Versus

STATE OF GUJARAT

Appearance:

MR PH PATHAK for Petitioners
MR CC BHALJA, AGP for Respondent No. 1
NOTICE SERVED for Respondent No. 2
MR DD VYAS for Respondent No. 3

CORAM : MR.JUSTICE KUNDAN SINGH

Date of decision: 24/02/99

ORAL JUDGEMENT

This petition has been filed for a direction to the respondents to treat the petitioners as regular employees of the respondent - Panchayat with all the consequential benefits and in the alternative for a direction to the respondents to frame a scheme in light of Supreme Court judgment to regularise the services of

the daily wagers working in the respondent department.

2. It is not disputed that the petitioners are working as daily rated workers under the control of the respondent no. 3. The respondent no. 3 has filed the further affidavit-in-reply on 1-9-1998 wherein it is stated that the respondent has passed the resolution to extend the benefits of the resolution dated 17-10-1988 to the petitioners and the respondent - Panchayat has no objection to implement the said resolution dated 17-10-1988.

3. In view of the averments made in the affidavit-in-reply dated 1-9-1998, learned advocate for the petitioner seeks permission to withdraw this petition on the condition that the benefits of the resolution dated 17-10-1988 be extended to the petitioners.

4. In the facts and circumstances of the case, learned counsel for the petitioner is permitted to withdraw this petition. Accordingly, the respondents are directed to implement the Resolution dated 17-10-1988 and to give benefits thereof to the petitioners if the petitioners fulfil the requirements and conditions of the Resolution 17-10-1998, within a period of two months from the date of presentation of a certified copy of this order. This petition stands disposed of finally.

5. Accordingly, rule is discharged with the above directions, with no order as to costs. Interim order, if any, stands vacated.

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